

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Cassandra M. Stanley,	:	
Plaintiff	:	Civil Action 2:08-cv-00674
v.	:	Judge Marbley
Michael J. Astrue,	:	Magistrate Judge Abel
Commissioner of Social Security,	:	
Defendant	:	

**ORDER**

This matter is before the Court on Magistrate Judge Abel's June 2, 2009 Report and Recommendation that this case be remanded to the Commissioner. No objections have been filed to the Report and Recommendation. The Court, having reviewed the record *de novo*, adopts the Report and Recommendation.

Upon *de novo* review in accordance with the provisions of 28 U.S.C. §636(b)(1)(B), the Court **ADOPTS** the Report and Recommendation. This case is hereby **REMANDED** to the Commissioner. On remand, the administrative law judge should obtain additional information from Dr. Torello. *See* 20 C.F.R. § 404.1512(e)(1). The administrative law judge should also consider whether further testing is appropriate to determine the nature of plaintiff's possible breathing impairment.

s/ Algenon L. Marbley  
Algenon L. Marbley, Judge  
United States District Court